

▶ **FILE #:** 12-E-06-RZ

AGENDA ITEM #: 66

AGENDA DATE: 12/14/2006

▶ **APPLICANT:** J.V. DOAN, JR.
 OWNER(S): ADVANCED HOME SERVICES

TAX ID NUMBER: 82 A D 005

JURISDICTION: City Council District 4

▶ **LOCATION:** Northwest side Cecil Ave., southwest side Citrus St., north of N. Cherry St.

▶ **APPX. SIZE OF TRACT:** 1.32 acres

SECTOR PLAN: East City

GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)

ACCESSIBILITY: Access is via Cecil Ave., a minor arterial street with 28' of pavement width within 60' of right of way, or Citrus St., a local street with 21' of pavement width within 50' of right of way. There is also an unnamed, unimproved, 20' wide right of way along the southwest side of the site.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

▶ **PRESENT ZONING:** C-4 (Highway and Arterial Commercial)

▶ **ZONING REQUESTED:** C-1 (Neighborhood Commercial)

▶ **EXISTING LAND USE:** Market/deli and tire sales/service businesses

▶ **PROPOSED USE:** Market/deli and tire sales/service businesses

EXTENSION OF ZONE: No

HISTORY OF ZONING: Property was rezoned C-4 earlier this year (4-A-06-RZ/4-A-06-PA).

SURROUNDING LAND USE AND ZONING: North: Attached residential development / R-2 (General Residential)

South: Cecil Ave. - Commercial building / C-4 (Highway & Arterial Commercial)

East: Citrus St. - Dwellings / R-1A (Low Density Residential)

West: Dwellings / R-1A (Low Density Residential)

NEIGHBORHOOD CONTEXT: With the exception of the subject property, the properties on the north side of Cecil Ave. are developed with residential uses under R-1, R-1A and R-2 zoning. On the south side of Cecil Ave. are commercial and industrial uses, zoned C-3, C-4 and I-3.

STAFF RECOMMENDATION:

▶ **APPROVE C-1 (Neighborhood Commercial) zoning.**

As part of the final approval of the applicant's previous rezoning request of this site, the Knoxville City Council attached the condition that the applicant request a rezoning of this site to C-1 after establishing the existing commercial uses as legal uses under the current C-4. The current tire sales and auto service business will become legal, non-conforming uses, upon rezoning the property to the more compatible C-1 zoning.

COMMENTS:

NEED AND JUSTIFICATION FOR THE PROPOSAL

1. Approval of C-1 zoning for this site will prevent expansion of inappropriate C-4 uses on the site.
2. C-1 zoning of the property is appropriate and will minimize additional negative impact to adjacent residential properties to the north, east and west.
3. The property was originally zoned C-1, but it was determined that some of the uses were not allowed in that zone. The temporary C-4 zoning of the property allowed the uses to be established legally. By zoning the property back to C-1, the uses will become legal and non-conforming.

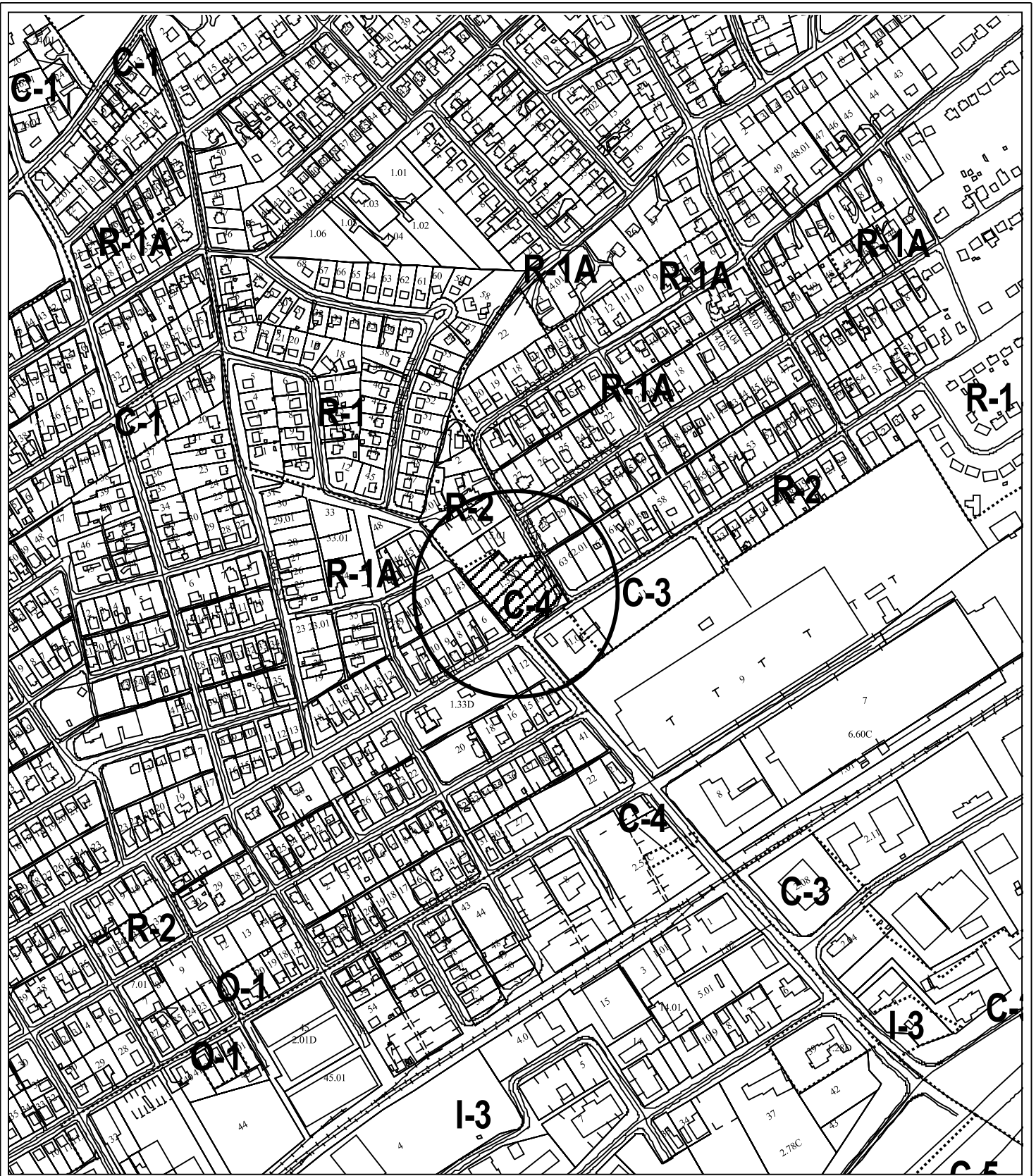
THE EFFECTS OF THE PROPOSAL

1. Public water and sewer utilities are in place to serve the site.
2. This proposal will have no impact on schools or streets.
3. C-1 zoning is more compatible with adjacent residential uses than C-4.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The City of Knoxville One Year Plan proposes GC (General Commercial) uses for the site, consistent with either C-1 or C-4 zoning. If this rezoning is approved for C-1, MPC staff will, as part of the 2007 One Year Plan update, propose changing the plan designation for this site to NC Neighborhood Commercial, consistent with the zoning.
2. The East City Sector Plan proposes commercial uses for most of the site and medium density residential uses in the rear, consistent with the current uses on the site.

If approved, this item will be forwarded to Knoxville City Council for action on 1/16/2007 and 1/30/2007. If denied, MPC's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.



12-E-06-RZ
REZONING

Petitioner: J.V. Doan, Jr.

Map No: 82

Jurisdiction: City



From: C-4 (Highway and Arterial Commercial)

To: C-1 (Neighborhood Commercial)

Original Print Date: 11/20/06

Revised:

Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902